

**COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
CASE NO. 21-005**

**IN RE: SHANNON ANSON
ALLEGED VIOLATION OF KRS CHAPTER 11A**

**INITIATING ORDER
Initiation of Administrative Proceeding
And Formal Complaint**

The Executive Branch Ethics Commission (the "Commission"), upon its own motion, initiated a preliminary investigation of Shannon Anson (the "Respondent" or "Anson"), pursuant to KRS 11A.080(1), on July 18, 2016.

At all relevant times the Respondent was a "public servant" as defined in KRS 11A.010(9), and thus subject to the jurisdiction of the Commission.

The Commission initiated the preliminary investigation to determine whether it has sufficient probable cause to believe the Respondent violated provisions of KRS Chapter 11A, Executive Branch Code of Ethics (also referred to herein as the "Ethics Code").

The Commission focused its investigation upon the Respondent's possible violation of the Ethics Code by using or attempting to use her influence in any matter which involves a substantial conflict between her personal or private interest and her duties in the public interest; using or attempting to use any means to influence a public agency in derogation of the state at large; using her official position or office to obtain financial gain for herself or any members of the public servant's family; using or attempting to use her official position to secure or create privileges, exemptions, advantages, or treatment for herself or others in derogation of the public interest at large; failing avoid all conduct which might in any way lead members of the general public to

conclude that she is using her official position to further her professional or private interest; using or disclosing confidential information acquired in the course of her official duties to further her own economic interest; receiving interest or profit from the use or loan of public funds in her hands; accepting compensation, other than that provided by law for public servants, for performance of her official duties without prior approval of the Commission; accepting outside employment from a person or business that does business with or is regulated by the state agency by which she is employed without the approval of her appointing authority.

The Commission notified the Respondent of the preliminary investigation by letter dated July 27, 2016. During the course of the investigation, the Commission found probable cause to believe that violations of KRS Chapter 11A had occurred. The Commission voted on May 19, 2021, to initiate an administrative proceeding, pursuant to KRS 11A.080(4)(b) and KRS Chapter 13B, to determine whether the Respondent violated the Ethics Code as set forth in the Allegations of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

IT IS THEREFORE ORDERED that:

1. This Initiating Order and Appendix shall be served on the Respondent pursuant to KRS 13B.050(2) by certified mail, return receipt requested, to the last known address of the Respondent, or by personal service.
2. The Respondent shall file her answer to this Initiating Order within twenty (20) days from the date of service, verifying the truth and accuracy of any answer submitted.
3. If the Respondent does not submit an answer to the Initiating Order within

twenty (20) days from the date of service, the Commission may accept the failure to answer as an admission of the allegations in the Initiating Order; find by clear and convincing evidence pursuant to KRS 11A.100(3) that the Respondent has engaged in the alleged conduct; and enter a final order against the Respondent for the full possible penalty allowed under KRS 11A.100(3).

4. The Respondent shall appear at a hearing to be scheduled by subsequent order and be prepared to defend against the Commission's allegations that she committed the Ethics Code violations set forth in the Allegation of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

5. The Commission will designate a hearing officer, pursuant to KRS 13B.030(2)(a), by contract with a private attorney through a personal services contract. The Commission will notify the Respondent or her retained counsel of the designation of a Hearing Officer as soon as possible after the appointment.

6. The Commission is represented by Michael W. Board, General Counsel, and Meena Mohanty, Deputy General Counsel. They may be contacted through the Commission's office at (502) 564-7954.

7. All original material and documents shall be submitted to the Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 104, Frankfort, Kentucky 40601, Attention: Commission Secretary. Copies of all materials shall be served on the designated Hearing Officer and the Commission's counsel listed in paragraph 6.

8. The Respondent has the right to obtain her own legal counsel during this proceeding. If the Respondent retains legal counsel, that legal counsel shall file an appearance with the Commission, and thereafter all correspondence from the

Commission to the Respondent shall be mailed or delivered to the Respondent's attorney.

9. The Respondent has the right to examine upon request, at least five (5) days prior to the hearing, a list of witnesses the Commission expects to call at the hearing, any evidence that will be used at the hearing and any exculpatory information in the Commission's possession.

10. The Respondent has the right to subpoena witnesses on her own behalf. If the Respondent subpoenas witnesses, she shall pay for all costs associated with the subpoenas' issuance, including any applicable witness fees.

11. If the Respondent fails to attend or participate as required at any stage of the administrative hearing process without good cause shown, she may be held in default pursuant to KRS 13B.050(3)(h).

12. The Respondent has a right to appeal any final Commission order to the Franklin Circuit Court within thirty (30) days of service.

13. This proceeding is subject to KRS Chapter 11A, the Commission's regulations, the provisions of KRS Chapter 13B, and any Order issued by the Commission or its hearing officer issued during this administrative proceeding.

So ordered this 19th day of May 2021.

EXECUTIVE BRANCH ETHICS COMMISSION:


Judge Roger L. Crittenden (Ret.), Chair


David K. Kareem (May 20, 2021 13:17 EDT)

Sen. David K. Kareem (Ret.), Vice-Chair


Crit Luallen, Member


Daniel J. Venters (May 20, 2021 14:02 EDT)

Justice Daniel J. Venters (Ret.), Member


David S. Samford, Member

**APPENDIX A
CASE NO. 21-005
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Shannon Anson, was at all relevant times an employee of the Commonwealth of Kentucky, serving as a Social Service Specialist I in the Department of Juvenile Justice, Justice and Public Safety Cabinet. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Shannon Anson committed the following violations:

COUNTS I - XXIII

Shannon Anson, during her course of employment as a Social Service Specialist, Department of Juvenile Justice, Justice and Public Safety Cabinet, used or attempted to use her influence in any matter which involves a substantial conflict between her personal or private interest and her duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used her official position or office to obtain financial gain for herself or any members of her family; used or attempted to use her official position to secure or create privileges, exemptions, advantages, or treatment for herself or others in derogation of the public interest at large; failed avoid all conduct which might in any way lead members of the general public to conclude that she is using her official position to further her professional or private interest; used or disclosed confidential information acquired in the course of her official duties to further her own economic interest; received interest or profit from the use or loan of public funds in her hands; and accepted compensation, other than that provided by law for public servants, for performance of her official duties without prior approval of the Commission; accepting outside employment from a person or business that does business with or

is regulated by the state agency by which she is employed without the approval of her appointing authority

Specifically, Anson, from August 2013 through July 2015, on twenty-three (23) separate occasions used her official position to accept kickback payments totaling approximately \$50,500 from various individuals at a non-profit corporation organized under Section 501(c)(3) of the Internal Revenue Code. Anson accepted the kickback payments in return for placing youth under the supervision of the Department of Juvenile Justice with the non-profit corporation pursuant to a contract between the non-profit corporation and the Department of Juvenile Justice.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c), and (d), KRS 11A.040(1), (5), and (10).

KRS 11A.020(1)(a), (b), (c), and (d), and KRS 11A.020(2) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.040(1), (5), and (10) provide:

- (1) A public servant, in order to further his own economic interests, or those of any other person, shall not knowingly disclose or use confidential information acquired in the course of his official duties.
- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.
- (10) Without the approval of his appointing authority, a public

servant shall not accept outside employment from any person or business that does business with or is regulated by the state agency for which the public servant works or which he supervises, unless the outside employer's relationship with the state agency is limited to the receipt of entitlement funds.

- (a) The appointing authority shall review administrative regulations established under KRS Chapter 11A when deciding whether to approve outside employment for a public servant.
- (b) The appointing authority shall not approve outside employment for a public servant if the public servant is involved in decision-making or recommendations concerning the person or business from which the public servant seeks outside employment or compensation.
- (c) The appointing authority, if applicable, shall file quarterly with the Executive Branch Ethics Commission a list of all employees who have been approved for outside employment along with the name of the outside employer of each.

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